

FILED '09 NOV 03 17:18 USDC-ORP

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

JAWDAT K. MOHAMMAD,

CV 08-617-AC

Petitioner,

OPINION AND ORDER

v.

ERIC HOLDER, JR., Attorney General of the United States, ROBERT S. MUELLER III, Director, Federal Bureau of Investigation, MICHAEL A. CANNON, Chief, National Namecheck Section of the Federal Bureau of Investigation, JANET NAPOLITANO, Secretary of Homeland Security, MICHAEL AYLES, Acting Director, United States Citizenship and Immigration Services, F. GERARD HEINAUER, Director, USCIS Northern Service Center, WILLIAM D. McNAMEE, Director USCIS Portland,

Respondents.<sup>1</sup>

---

<sup>1</sup>Pursuant to Fed. R. Civ. P. 25(d), Eric Holder, Jr., Janet Napolitano, and Michael Ayles were substituted as defendants for Michael Mukasey, Michael Chertoff, and Jonathan Scharfen.

REDDEN, Judge:

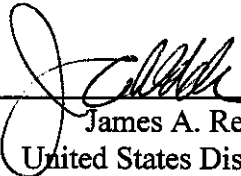
On October 20, 2009, Magistrate Judge John Acosta filed his Findings and Recommendation (doc. 71) that the court grant the government's Motion to Dismiss (doc. 66) Petitioner's Complaint as moot.

The matter is now before me. See 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(b). Neither party timely filed objections. This relieves me of my obligation to review Magistrate Judge Acosta's factual findings de novo. See 28 U.S.C. § 636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT magistrate Judge Acosta's Findings and Recommendation (doc. 71) as my own opinion. Petitioner's Complaint (doc. 2) is DISMISSED.

IT IS SO ORDERED.

DATED this 5 day of November, 2009.

  
James A. Redden  
United States District Judge